

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor,

Adv. Pro. No. 10-04397 (CGM)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FERN C. PALMER REVOCABLE TRUST
DTD 12/31/91, AS AMENDED; FERN C.
PALMER, individually and in her capacity as
Trustee for the Fern C. Palmer Revocable Trust
dtd 12/31/91, as amended; ESTATE OF BOYER
PALMER; DIANE HOLMERS, in her capacity
as Personal Representative of the Estate of Boyer
Palmer, and BRUCE PALMER, in his capacity as
Personal Representative of the Estate of Boyer
Palmer,

Defendants.

MEDIATOR'S FINAL REPORT

Hon. Allen Hurkin-Torres (Ret.), the mediator in the above-captioned adversary proceeding (the “Adversary Proceeding”) submits this final report pursuant to Local Rule 9019-1 and section 3.4 of the Procedures Governing Mediation of Matters of the United States Bankruptcy Court for the Southern District of New York and reports as follows:

1. A mediation session in the Adversary Proceeding took place on April 8, 2021 via a virtual Zoom conference.
2. The parties negotiated in good faith and complied with all relevant orders governing the mediation including the Bankruptcy Court’s Order entered November 10, 2010, (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order, but were unable to reach a mutually satisfactory resolution of the disputes involved in the Adversary Proceeding.
3. Accordingly, as further attempts to resolve this matter via settlement would not be productive, mediation in this matter should be deemed concluded.

Dated: May 5, 2021
New York, New York

/s/ Allen Hurkin-Torres
Hon. Allen Hurkin-Torres (Ret.), Mediator